



STATE SENATOR

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New Laws Help Protect Children

The General Assembly passed several bills this session aimed at protecting Hoosier children. One bill concerned the reorganization of the Office of the Family and Social Services Administration (FSSA), which has had management and other problems. Senate Enrolled Act 529 creates the Department of Child Services to handle child support, child protection, adoption and foster services. Some Hoosier children are at risk for abuse and neglect, and these children deserve the proper attention.

The state budget funds the new Dept. of Child Services and provides additional funding for child protection. The budget funds an additional 400 child protection caseworkers and establishes new caseload standards for them. Further, it provides money for Independent Living assistance for persons moving off of foster care.

In 2003, the state's sex and violent offender registry was strengthened to require a photograph of the offender that can be viewed by the public. Currently, thousands of people who have committed sex crimes or crimes against children are registered with the state. This year, legislators passed two bills that will enhance the effectiveness of the registry by adding the possession of child pornography to the 14 existing offenses and by allowing neighborhood associations to receive semi-annual updates of the list.

In addition, the General Assembly passed Senate Enrolled Act 12, described on page 3, which establishes the "Code Adam" program to help locate children who may become missing in state buildings. Senate Enrolled Act 525, also described on page 3, allows for tougher sentences for certain sex offenses against children.

Too often we hear the stories of another child being victimized. These situations have become commonplace, but our children are our most precious commodity, and should receive special attention from the state.

New State Budget Holds the Line on Spending

Tough decisions were required, but the Indiana General Assembly has passed a balanced two-year state budget. It holds the line on spending, eliminates the structural deficit, adds no new state taxes, provides \$4 billion in property tax replacement credits and adds \$112.4 million to K-12 education. The new \$24 billion budget does not use reserve funds and does not spend more than tax revenues projected for the state.

Senate Republicans voted to control state spending while boosting funding for K-12 education, scholarships for higher education and child protection. Medicaid funding is held to a 5 percent increase. This is in contrast to the 10 percent growth experienced during the current biennium.

Hard choices were made to overcome the \$600 million structural deficit and end up with reserves, without new state taxes. Making up payments that were delayed to schools and local governments during the last recession will be a high priority during the next budget session.

The Budget Does:	The Budget Doesn't:
• Fund 400 new child welfare caseworkers	• Create new state taxes
• Give more money to K-12 education	• Use pension funds
• Eliminate the \$600 million deficit	• Spend more than projected tax revenue
	• Unfairly reduce Medicaid funding

Education funding remained a top priority for legislators. The school funding formula is driven by an innovative approach that funds children as individuals instead of simply funding corporations. Special factors are taken into consideration, such as poverty, single parent families and free lunches, when determining the level of funding that is to follow a child.

The General Assembly continually has increased education spending in past years, even when other states were cutting education. In 2003, Indiana had the highest increase of K-12 funding in the country – during a national recession. The new budg-

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Economic Development Initiatives Aim for More Jobs and Higher Incomes

A more disciplined state budget, a growing economy, and success on the economic development front will address Indiana's fiscal hardship. While some of that was done in crafting the two-year budget, the only permanent way to ensure the state's financial stability is by creating more jobs and putting more money in Hoosiers' pockets.

Legislators focused on the economic development effort at the start of this year's legislative session with the rapid passage of House Enrolled Act 1003. Although the Indiana Economic Development Corporation was proposed last year, HEA 1003 sped up its creation, stream-

lined its make-up and gave it the tools with which it could best attract business. The IEDC replaces the former Indiana Department of Commerce which could be slow and reactive, rather than proactive. The new IEDC is led by Secretary of Commerce Pat Miller (a founder of Vera Bradley in Fort Wayne) and former executive Mickey Maurer (Chairman of Mystar Communications Corporation, IBJ Corporation and the National Bank of Indianapolis).

More and better jobs are needed in Indiana. A key part Indiana's budget prob-

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Service on Committees

When it comes to legislative work in the General Assembly, standing committees do most of the "heavy lifting." Committee members hear testimony, discussion and debate on a variety of issues, working on language that may become law.

State Sen. Joe Zakas serves on the following Senate standing committees: Judiciary; Appropriations; Correction, Criminal & Civil Matters; Ethics; and Rules and Legislative Procedure.

After the session is completed in the spring, Zakas serves on the Probate Code Study Commission, Public Defender Commission, and the Interstate Compact for Adult Offender Supervision State Council. At the national level, Zakas serves on the Law & Criminal Justice Committee of the National Conference of State Legislatures, the Midwest-Canada Relations Committee and the Legal Task Force of the Council of State Governments.

Committee work is an essential part of a legislator's job.



INDYWOOD? A bill to encourage more movie production in the state brought actor Sean Astin and producer/screenwriter Angelo Pizzo to the General Assembly. Each has worked on movies in Indiana, "Rudy" and "Hoosiers." Sean Astin's wife is from Rolling Prairie, and Angelo Pizzo has moved from California back to this boyhood home of Bloomington. Astin recently starred in the popular "Lord of the Rings" trilogy.

FACTS & FIGURES

Senate bills introduced: 647; Passed: 163
Senate joint resolutions introduced: 10; Passed: 1
House bills introduced: 859; Passed: 85
House joint resolutions introduced: 18; Passed: 1
Percent of introduced bills sent to the governor: 17%

EFFORTS MADE TO STEM METH PROBLEM

Methamphetamine production has become widespread in our state, and this year the General Assembly took steps to curb this criminal activity. Meth is dangerous and has high potential for addiction. Commonly referred to as meth, crank or speed, meth produces physical effects similar to cocaine, but the long-term damage to a meth user's body is much worse.

In 2003, Indiana law enforcement seized 422 meth labs, a figure higher than any other Midwestern state, according to the U.S. Drug Enforcement Administration. While Mexican-produced meth is the most prominent throughout the Midwest, home labs are on the rise in rural Indiana.

It is difficult to catch meth producers. All of the ingredients needed to manufacture meth can be purchased legally and are relatively inexpensive.

In response, the General Assembly passed a bill to regulate the sale and purchase of meth precursors in the hope of reducing pro-

duction in Indiana. Senate Enrolled Act 444 places restrictions on drugs containing ephedrine or pseudoephedrine. These ingredients, found in over-the-counter cold and allergy medicines, are used to produce meth.

Under the new law, retailers must store such drugs in a locked case or behind a counter that requires employee assistance. Pharmacies may place the drugs in the line of sight of an employee.

Further, customers purchasing these drugs must present identification and record their names, addresses and driver's license or other ID number in a log book provided and maintained by the retailer. The bill bars retailers from selling the drugs to individuals under 18 and allows no more than 3 grams of drugs containing the ingredients in a single week.

Meth production has become a significant problem in Indiana. The spread of this drug is having a long-term, devastating impact, and Indiana is joining with other states to fight back.

ECONOMIC DEVELOPMENT

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lems is slow revenue growth. A major hindrance to increasing revenue is that Indiana lags the nation in personal income growth. That problem has steadily grown since 1996. Today, the average Hoosier worker earns only about 91 cents for every \$1.00 earned by the average worker nationwide. Just as Hoosier workers earn less, state tax revenues lag as well. If Indiana workers earned the same as the national average, the subsequent gain in tax revenues would boost state accounts. Indiana needs to improve its economy relative to the nation or Indiana's budget - and the ability to adequately fund priorities like education, infrastructure, and health care - will remain a problem. The quality of life for Hoosier families must be improved.

Two initiatives passed this year that are designed to increase job growth are Senate Enrolled Acts 1 and 496. These two measures contain many provisions that make the state more attractive to companies looking to relocate, existing businesses wishing to expand, and entrepreneurs looking for an incentive to start a business.

One of the most important ideas was a sales tax break for research and development equipment. This is intended to encourage the growth of high-tech, innovative jobs. Following the governor's lead, the General Assembly also took particular interest in the motor racing industry. SEA 1 includes provisions that exempt professional motor racing parts from sales tax and adds "professional motor vehicle racing" to the list of businesses that qualify for the Venture Capital Investment Tax Credit. The measures also made it easier to qualify for other tax credits such as Hoosier Business Investment Tax Credits.

In other bills, the General Assembly enabled communities to be "shovel-ready" for property development (HEA 1653) and established an enterprise zone investment deduction from the assessed value of a qualified investment (HEA 1120). The governor pushed for daylight savings time, as well, to make it easier to do business with companies located in Indiana, and to help Hoosier businessmen do the same with out-of-state companies. Although this issue was the focus of much media attention, far more time was spent on other issues.

The 2005 session of the General Assembly may be remembered as one of the most important and aggressive sessions ever for making Indiana open for business.

BUDGET

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et provides more money and adds funding options for Indiana public schools.

Additionally, the state is distributing to local governments \$4 billion in property tax replacement credits (PTRC), in an effort to provide relief to homeowners and other property taxpayers. Local governments and schools keep 99.9 percent of all

property taxes, which are levied by local governments and schools. Half of all revenue raised by the state sales tax is used for PTRC, as is 14 percent of the income tax and nearly a half billion dollars every year from the wagering tax.

Earlier in the session, the Senate voted to pass a measure to reform the property tax system by giving local governments an option to shift the property tax burden to an income tax in order to be more fair and equitable to Hoosiers. Although the initia-

tive was successful in the Senate, it failed to receive consideration in the House of Representatives when the bill met substantial opposition from local government officials.

The new budget is a prescription for positive change in Indiana. More disciplined spending, when coupled with an improved economy and economic development initiatives, provides a foundation to enable Indiana to move forward dynamically and benefit all Hoosiers.

Sen. Joe Zakas testifies before the Senate Appropriations Committee on the importance of implementing a database containing DNA samples of all convicted felons. His bill, SEA 13, expands the current database, which used to include only a handful of violent crimes. Case studies in other states have shown that a complete DNA database aids in solving crimes and preventing future crimes.



NEW LAWS STRENGTHEN PUBLIC SAFETY: ZAKAS

Several public safety measures passed the 2005 session of the Indiana General Assembly, a number of them authored by State Sen. Joe Zakas.

"Legislation that focuses on public safety has been a priority of mine," Zakas said, espousing the right of citizens to be safe in their own homes and neighborhoods. Zakas took the lead and authored the following public safety bills which became law:

- Senate Enrolled Act 13 requires a person convicted of a felony to submit DNA samples to the Department of Corrections. This will build up the state's DNA data bank, which the Department of Corrections may access for analysis at any time to help solve old crimes. Using the current limited procedures, state police said 143 "cold case" investigations were aided last year because of DNA sampling. The new law will apply to more felons. Even obtaining samples from nonviolent felons can help. In Virginia, for example, DNA samples taken from people convicted of forgery have led to 47 "cold hits" that include burglaries, sex offenses and homicides.



Joe engages in debate on the Senate floor with Sen. John Broden (South Bend).

- SEA 12 requires the state Department of Administration to establish a "Code Adam" program to locate children who are missing in certain state buildings. When a child is reported missing, the Code Adam program mobilizes building employees in an immediate, organized search. A Code Adam alert will enlist workers in the critical period after a child is reported missing in a store, museum, or other state government building. In addition, a companion resolution was passed, which urges local governments and businesses to establish Code Adam programs, as well. Code Adam is similar to an "Amber Alert," which Zakas helped establish in Indiana, but on a smaller scale. The National Center for Missing and Exploited Children supported the measures.

- SEA 525 allows a prosecutor to seek a sentence of life in prison without parole for a person who is convicted a second time of a Class A felony sex offense against a child. Sex offenders have an extremely high rate of recidivism and efforts are underway to deal with this situation on several levels. The aim of this bill is protect children by keeping violent repeat offenders off the street.

- SEA 117 concerns checked baggage at an airport. It requires a person checking baggage containing a firearm, an explosive, or other destructive device to disclose this information to the airline. A knowing or intentional failure to do so would result in a Class A misdemeanor. The purpose of the bill is to provide grounds for local law enforcement officers to arrest a person if the officer believes that the person is transporting a dangerous device in checked luggage. Carry-on luggage is already addressed in the law to allow for an arrest under similar circumstances, so the bill addressed a "gap" in the law. The Indiana Prosecutors Association and the Aviation Association of Indiana supported passage of the legislation.

- SEA 32 adds U.S. citizenship as a requirement to obtain a permit to carry a firearm, unless otherwise provided under federal law. Those who testified in favor of the bill included Sgt. Al DeRoo of the South Bend Police Department. Legislators agreed that a citizenship requirement just makes sense.